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PATENT

MAY 26 2005

U.S. PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : RONALD A. SCHACHAR

Serial No. : 09/589,626

Filed : June 7, 2000

For : SCLERAL PROSTHESIS FOR TREATMENT OF
PRESBYOPIA AND OTHER EYE DISORDERS

Group No. : 3738

Examiner : David H. Willse

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J 20

Commissioner for Patents
ATTN: OFFICE OF THE SOLICITOR
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

NOTICE OF APPEAL

Pursuant to 35 U.S.C. § 141 and 37 C.F.R. § 1.301, Applicant respectfully appeals to the United States Court of Appeals for the Federal Circuit from the Board of Patent Appeals and Interference's Decision on Appeal mailed November 23, 2004 and Decision on Request for Rehearing mailed March 24, 2005. Copies of the Decisions from which this appeal is taken are attached.

Pursuant to Federal Circuit Rule of Appellate Procedure 15(a)(1), four (4) copies of this Notice of Appeal, together with a check for the \$250.00 docketing fee required under Federal Circuit Rule of Appellate Procedure 52(a)(3)(A), are being concurrently sent to:


Clerk
U.S. Court of Appeals for the Federal Circuit
717 Madison Place NW
Washington, D.C. 20439

The Applicant respectfully invites the Solicitor, the Clerk or any other party to contact the undersigned at the telephone number indicated below or at *wmunck@davismunck.com* in the event of any questions or problems. The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: May 24, 2005



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